REMARKS

Applicant thanks Examiner Shrestha for the thorough examination. The Office Action mailed September 18, 2008 ("Office Action"), sets forth the following:

- Claims 1, 29 and 50 are provisionally rejected on the grounds of non-statutory obviousness-type double patenting over claims 51, 64 and 70 of Application Ser. No. 11/415,967.

- Claims 1-50 were rejected under 35 U.S.C. § 101 as non-statutory subject matter

- Claims 1-50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 7,389,268 ("Kemp") in view of U.S. Patent Application 2003/0229900 ("Reisman").[1]

Claims 1, 29 and 50 have been amended. Support for the amended claims may be found throughout the specification. Applicant submits that no new matter has been added. Applicant respectfully submits that the pending claims are allowable for at least the following reasons:

I.   Related Applications

Applicant understands that the Examiner reviews the claims and prosecution history of related applications as they contain common subject matter. For the purposes of the present application, Applicant hereby rescinds any disclaimer of claim scope that may have been (or may be) made during the prosecution of any related application. Applicant respectfully requests examination of the instant claims according to the claim language in light of the prior art without importing statements made by the Applicant in the prosecution of any related application.

II.   Double Patenting

The double patenting rejection has been obviated by the above amendments. Withdrawal of the rejection is requested. In the alternative, Examiner is requested to hold the provisional double patenting rejection in abeyance until the application is otherwise deemed allowable. The

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[1] The citation to "Robertson" in paragraph 4 appears inadvertent as Robertson was not cited in the prior office action and does not form the basis for any rejection in the present office action. Paragraph 4 cites "reference B in the attached PTO-892," which identifies U.S. Patent Application No. 2003/0229900 ("Reisman") under reference "B." The rejections cite Reisman, and paragraph 50 indicates that the prior arguments are moot in view of the new grounds of rejection. Accordingly, the rejection under 35 U.S.C. § 103 appears based on Kemp and Reisman.

Examiner should withdraw the rejection in the earlier filed application to thereby permit the application to issue without need of a terminal disclaimer when a provisional obviousness-type double patenting rejection is the only rejection remaining. (MPEP 1490(V)(D)). At that time, the Examiner is required to withdraw the provisional double-patenting rejection to permit the application to issue as a patent. (*See* MPEP § 804(I)(B), page 800-17).

III.   Rejection Under 35 U.S.C. §101

The rejection has been obviated by the above amendments. Applicant submits that the claims prior to the amendments were sufficiently tied to a machine and transformed matter as set forth in *In re Bilski*. Nonetheless, the amendments are submitted to expedite examination and allowance of the application.

IV.   Rejection Under 35 U.S.C. §103

Independent Claim 1

In claim 1, a value axis having a range of values for the tradeable object and a display region comprising locations corresponding to one of the range of values are displayed on a screen. A command selecting one of the locations is received, and in response the view of the value axis is automatically changed to move the selected location to a predetermined location on the screen.

In Kemp, repositioning is triggered by a timer or by monitoring the movement of the item of interest, such as the movement of the LTP. (col. 26, ll. 21-26). Kemp explains that the repositioning feature is triggered by the LTP or inside market being outside the viewable area or is more than a predetermined distance away from a display location. (col. 26, ll. 26-33).

Reisman relates to navigating hypermedia using multiple coordinated input/output device sets. (Abstract). In Reisman, a video or video stream for a TV contains links or third-party arcs. (par. [0174] and [0175]). The links or third-party arcs "lead to a source of associated material that may be synchronized with the TV program or not." (par. [0174]). That is, the links or arcs contain an URL for an ending resource having a script that is executed when the URL is triggered. (par. [0175]). As a result, the script is processed to cause the desired presentation

action. Accordingly, the triggers are "transmitted in parallel" with a TV to transition the session to "enhanced content that may be found on the web or staged to the local system." (par. [0177]).

Applicant respectfully submits that neither Kemp nor Reisman disclose features of the claims. More specifically, the cited art does not disclose or suggest at least the features including:

- receiving a command to select a particular location of the plurality of locations via a user input device associated with the processor,

- in response to selecting the particular location, automatically changing the view of the value axis via the processor to move a value of the selected particular location to a predetermined location on the screen.

The Office Action acknowledges that Kemp does not select a particular location and trigger a change of the view of the value axis such that the selected location is moved to a predetermined location on the screen as in the claims. Instead, the Office Action cites to Reisman as disclosing these features included in the claims.

Applicant respectfully submits that Reisman also does not disclose or suggest these features. In Reisman, the URL is transmitted with or in parallel with a video, such as a TV program. Therefore, the URL is not a particular location of a plurality of locations of a display region corresponding to one of the values of a value axis, but is separate from the display region and the value axis.

In addition, the URL in Reisman provides a trigger for script, which when executed, transitions the session to enhanced content. That is, selection of the URL does not move the URL to a predetermined location on the screen, but provides entirely new or enhanced content. Reisman clarifies that the enhanced content does not include or move the original video stream, as the enhanced content is "found on the Web or staged to a local system via a channel in the broadcast." (par. [0177]). There is no disclosure or suggestion that the URL is included in the enhanced content, or that the URL is moved to a predetermined location. Simply selecting a URL does not disclose or suggest changing the view of the value axis to move a value associated with the selected URL to a predetermined location.

As such, Applicant respectfully submits that Reisman does not disclose or suggest the features of "receiving a command to select a particular location of the plurality of locations via a user input device associated with the processor," and "in response to selecting the particular location, automatically changing the view of the value axis via the processor to move a value of the selected particular location to a predetermined location on the screen," as included in the claims. Because the features of the claims are entirely missing from the cited art, the invention of claim 1 would not have been obvious over the cited art at the time of invention. Withdrawal of the rejection is respectfully requested.

Independent Claim 29

In claim 29, a particular location of a display region is selected and the display region is automatically changed to reposition a value axis such that the display region displays a second portion of the value axis such that a value level associated with the selected particular location is repositioned to a predetermined location with respect to the second portion of the value axis in the display region. As discussed, Kemp and Reisman do not disclose or suggest changing a display region to reposition a location within the display region in response to selecting the location. Instead, Reisman provides enhanced content which does not include a selected location as included in the features of claim 29. Accordingly, the invention of claim 29 would not be obvious over the cited art at the time of the inventions. Withdrawal of the rejection is requested.

Independent Claim 50

In claim 50, a particular location is selected and a <u>view of the bid display region and the ask display region are automatically changed to axially move</u> the selected particular location to a predetermined position on the screen where first and second indicators are also moved. As discussed, the Kemp and Reisman do not disclose or suggest changing a display region to move a selected location to a predetermined location on the screen. Accordingly, the invention of claim 50 also would not be obvious over the cited art at the time of the inventions. Withdrawal of the rejection is requested.

Dependent Claims

Applicant respectfully submits that the dependent claims are allowable for at least the reasons of the independent claims from which they depend, in addition to the features included in the dependent claims not included in the cited art.

V.   Conclusion

In view of the foregoing, Applicant respectfully submits that the claimed invention is in a condition for allowance. The claims are not described, taught, or suggested by the cited art. Accordingly, favorable consideration and withdrawal of the rejections are requested. The Examiner is invited to contact Trading Technologies in-house Patent Counsel Joseph Flerlage at 312-698-6065 to expedite examination of the application.

Respectfully submitted,
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